

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**BENJAMIN MOSTAED, on behalf of** )  
**himself and all others similarly** )  
**situated,** )  
 )  
**Plaintiff,** )

**v.** )

**Civil Action No. 3:11-CV-079-REP**

)  
**JAMES B. CRAWFORD,** )  
**ROBERT H. FOGLESONG,** )  
**RICHARD M. GABRYS,** )  
**ROBERT B. HOLLAND, BOBBY** )  
**R. INMAN, DAN R. MOORE,** )  
**BAXTER F. PHILLIPS, JR.,** )  
**STANLEY C. SUBOLESKI, LINDA** )  
**J. WELTY, MASSEY ENERGY** )  
**COMPANY, and ALPHA NATURAL** )  
**RESOURCES, INC.,** )  
 )  
**Defendants.** )

**JOINT MOTION FOR ENTRY OF STIPULATION AND ORDER  
GOVERNING THE PRODUCTION, EXCHANGE, AND FILING OF  
CONFIDENTIAL MATERIAL**

Plaintiff, Benjamin Mostaed, and Defendants, by their respective counsel, hereby move the Court for entry of a Stipulation and Order Governing the Production, Exchange, and Filing of Confidential Material.

The parties contemplate that discovery in this action may involve the production or disclosure of trade secrets, competitive information, and/or confidential financial or business information. To ensure the protection of such information from public disclosure, the undersigned parties request entry of a Stipulation and Order Governing the Production, Exchange, and Filing of Confidential Material, a copy of which has been attached hereto.

WHEREFORE, the parties respectfully request that the Court grant this Motion and enter the proposed Order attached hereto.

**WE ASK FOR THIS:**

/s/ Robert M. Rolfe

Robert M. Rolfe (VSB No. 15779)  
Erin L. Barrett (VSB No. 74928)  
HUNTON & WILLIAMS LLP  
Riverfront Plaza, East Tower  
951 East Byrd Street  
Richmond, Virginia 23219  
(804) 788-8466  
rrolfe@hunton.com  
ebarrett@hunton.com

Mitchell A. Lowenthal  
Boaz S. Morag  
CLEARY GOTTlieb STEEN & HAMILTON LLP  
One Liberty Plaza  
New York, NY 10006  
(212) 225-2000

Michael R. Lazerwitz  
CLEARY GOTTlieb STEEN & HAMILTON LLP  
2000 Pennsylvania Avenue, NW  
Washington, DC 20006  
(202) 974-1500

*Attorneys for Defendant Alpha Natural Resources,  
Inc.*

/s/ Timothy J. St. George

Alan D. Wingfield (VSB No. 27489)  
Timothy J. St. George (VSB No. 77349)  
TROUTMAN SANDERS LLP  
1001 Haxall Point  
P.O. Box. 1122  
Richmond, VA 23218-1122  
Telephone: (804) 697-1254  
Facsimile: (804) 698-6013  
alan.wingfield@troutmansanders.com  
tim.stgeorge@troutmansanders.com

Stuart W. Gold  
Julie A. North

CRAVATH, SWAINE & MOORE LLP  
825 Eighth Avenue  
Worldwide Plaza  
New York, NY 10019-7475  
Telephone: (212) 474-1000  
Facsimile: (212) 474-3700

*Attorneys for Defendants Massey Energy  
Company, James B. Crawford, Robert H.  
Foglesong, Richard M. Gabrys, Robert B. Holland,  
Bobby R. Inman, Dan R. Moore, Stanley C.  
Suboleski, and Linda J. Welty*

/s/ Stephen E. Baril  
Stephen E. Baril (VSB No. 19604)  
SANDS ANDERSON PC  
1111 E. Main Street, Suite 2300  
Richmond, VA 23219-2906  
Telephone: (804) 783-7234  
Facsimile: (804) 783-7291  
SBaril@SandsAnderson.com

*Attorneys for Defendant Baxter F. Phillips, Jr.*

/s/ Shiva Sharifahmadian  
Shiva Sharifahmandian, Esq. (VSB No. 75441)  
FINKLESTEIN THOMPSON LLP  
1050 30th Street, NW  
Washington, DC 20007

Frank J. Johnson, Esq.  
Shawn E. Fields, Esq.  
JOHNSON BOTTINI LLP  
501 West Broadway  
Suite 1720  
San Diego, CA 92101

Willie C. Briscoe  
THE BRISCOE LAW FIRM PLLC  
8117 Preston Road  
Suite 300  
Dallas, TX 75225

Patrick W. Powers

POWERS TAYLOR, LLP  
Campbell Centre II  
8150 N. Central Expressway  
Suite 1575  
Dallas, TX 75206

*Attorneys for Plaintiff*